

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY OF SANTA CLARA, CALIFORNIA  
ADOPTING AN AMENDMENT TO THE GENERAL PLAN TO  
REMOVE ONE SITE (4701 PATRICK HENRY DRIVE) FROM AND  
ADD ONE SITE (3005 DEMOCRACY WAY) TO THE ADOPTED  
HOUSING ELEMENT SITES INVENTORY AND MAKE  
ASSOCIATED TEXT EDITS**

**WHEREAS**, State Housing Element Law (Government Code Sections 65580 et seq.) requires that the City Council adopt a Housing Element for the eight-year period 2023-2031 to accommodate the City of Santa Clara (City) regional housing needs allocation (RHNA) of 11,632 housing units, comprised of 2,872 very-low income units, 1,653 low-income units, 1,981 moderate-income units, and 5,126 above moderate-income units;

**WHEREAS**, the State Department of Housing and Community Development (HCD) recommends all jurisdictions include a 15 to 30-percent buffer of units beyond the minimum required RHNA target numbers in all affordability categories (i.e. Lower, Moderate, and Above Moderate) to comply with the “no net loss” provisions of State Housing Element law, which requires jurisdictions to maintain sufficient capacity to accommodate their RHNA throughout the planning period;

**WHEREAS**, on May 7, 2024 the City Council adopted the City’s sixth cycle (2023-2031) Housing Element with sites identified that can accommodate housing units meeting the City’s RHNA with a substantial buffer of units in all affordability categories;

**WHEREAS**, on May 31, 2024 the State Department of Housing and Community Development (HCD) issued a letter indicating that the City’s adopted Housing Element was in substantial compliance with State Housing Element law;

**WHEREAS**, on January 31, 2023, the City Council adopted Resolution No. 23-9188, approving an Addendum to the 2010-2035 General Plan Environmental Impact Report adopted by the City Council on November 16, 2010, and to the environmental review documents that were prepared for subsequent amendments to the General Plan that affected housing development in the City, all of which provide environmental clearance for all of the units in the 6<sup>th</sup> cycle Housing Element

Sites Inventory;

**WHEREAS**, on November 19, 2024, the City Council adopted Resolution No. 24-9396, adopting and certifying an Environmental Impact Report for the Kylli “Mission Point” project;

**WHEREAS**, at various stages during the three-year Housing Element Update process, comment letters received from the Housing Action Coalition (HAC) resulted in the removal of several properties from the City’s Housing Element Sites Inventory after analysis and consultation with HCD indicated those sites were unlikely to redevelop with residential uses within the timeframe of the Housing Element;

**WHEREAS**, the HAC continues to object to the inclusion of one site (4701 Patrick Henry Drive) that was retained in the adopted and certified Housing Element; and,

**WHEREAS**, although the City continues to believe that it is reasonably foreseeable that 4701 Patrick Henry Drive will redevelop within the planning period, for the reasons stated in Housing Element Appendix C Supplemental Sites Inventory Analysis, its removal from the inventory would still leave sufficient sites to achieve the City’s Regional Housing Needs Allocation (RHNA) targets with a substantial buffer at all affordability levels;

**WHEREAS**, on November 19, 2024, the City Council approved the Mission Point Project (3005 Democracy Way), a 48-acre mixed-use Planned Development that has been entitled to allow up to a maximum of 2,600 new residential units with a minimum 15-percent affordability requirement, and the Mission Point Project does not currently appear in the Housing Element Sites Inventory;

**WHEREAS**, the City now wishes to add 820 of the units of the 3005 Democracy Way Project to the Sites Inventory, of which 123 units would be designated as moderate-income;

**WHEREAS**, the combined addition of units from the 3005 Democracy Way site and removal of units from the 4701 Patrick Henry Drive site would result in a decrease in the lower-income buffer from 33-percent to 18-percent and a decrease in the moderate-income buffer from 31-percent to 23-percent. In the above moderate-income category, the recommended buffer would increase from 103-percent to 116-percent;

**WHEREAS**, a General Plan Amendment is required for the proposed changes to the adopted Housing Element Sites Inventory;

**WHEREAS**, Santa Clara City Charter Section 1007 requires that the Planning Commission provide input to the City Council on any proposed General Plan Amendment;

**WHEREAS**, Government Code Section 65353 requires the Planning Commission to hold a public hearing prior to making a recommendation on the General Plan Amendment;

**WHEREAS**, on March 5, 2025, a notice of the public hearing on the proposed General Plan Amendment was published in the *Santa Clara Weekly*, a newspaper of general circulation for the City, for the Planning Commission Hearing to be conducted on March 19, 2025 and for the City Council Hearing to be conducted on April 29, 2025;

**WHEREAS**, the Planning Commission has reviewed the General Plan Amendment; and

**WHEREAS**, on March 19, 2025, the Planning Commission opened the public hearing to consider the proposed General Plan Amendment, and then continued the hearing to April 16, 2025;

**WHEREAS**, on April 16, 2025, the Planning Commission reconvened the public hearing, at the conclusion of which, the Planning Commission adopted Resolution No. 25-XXX, recommending the City Council adopt a General Plan Amendment to revise the May 7, 2024 Adopted 6<sup>th</sup> Cycle Housing Element (2023-2031) as provided in Attachment 1 (Revisions to Housing Element – redlined) showing revisions to the Housing Element, plus any non-substantive edits or corrections, including those that may be directed by the State Department of Housing and Community Development (HCD) after their review of the revisions to the adopted Housing Element;

**WHEREAS**, on April 29, 2025, the City Council conducted a duly noticed public meeting to review the revisions to the previously adopted 6<sup>th</sup> Cycle Housing Element and all pertinent documents and exhibits, the staff report and all attachments, and to take public testimony on the subject.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY OF SANTA CLARA AS FOLLOWS:**

1. The foregoing recitals are true and correct and are incorporated by reference into this action.

2. General Plan Amendment Findings. That the City Council hereby finds and determines that the General Plan Amendment is in the interest of the public good for the following reasons:

- A. The proposed Amendment is deemed to be in the public interest, in that the proposed Amendment is consistent and compatible with the rest of the City's General Plan and any implementation programs that may be affected, in that the Housing Element is consistent with the General Plan's Land Use and Circulation policies, and does not increase development capacity under the General Plan, as amended.
- B. The proposed amendment has been processed in accordance with the applicable provisions of the California Government Code and the California Environmental Quality Act (CEQA), in that the impacts of the Housing Element are disclosed by the General Plan EIR as addended by subsequent amendments to the General Plan EIR as addended by subsequent amendments to the General Plan that affected housing developments in the City, including but not limited to the December 2013 Climate Action Plan Negative Declaration; the February 2016 Mission Town Center EIR; the 2016 Related Santa Clara EIR; the November 2016 Lawrence Station Area Plan EIR; the July 2018 575 Benton Project Addendum; the July 2019 Gateway Crossings EIR; the March 2022 Patrick Henry Drive Specific Plan EIR; the June 2022 Climate Action Plan Addendum; and the June 2022 Freedom Circle Future Focus Areas EIR. The impacts of the Kylli "Mission Point" project were analyzed and mitigated in an Environmental Impact Report adopted and certified by the City Council on November 19, 2024.
- C. The potential impacts of the proposed General Plan Amendment have been assessed and have been determined not to be detrimental to the public health, safety, or welfare, in that the Housing Element creates a policy framework that provides opportunities for the development of housing in the City through the year 2031. The impacts of the Housing Element have been disclosed through the CEQA process, and the City

Council has determined that any impacts from the proposed revisions to the adopted Housing Element remain within the scope of the General Plan EIR, as addended, and the Kylli Mission Point EIR.

3. The City Council approves the revisions to the May 7, 2024 Adopted 6<sup>th</sup> Cycle Housing Element (2023-2031) as provided in Attachment 1 (Revisions to Housing Element – redlined) showing revisions to the Housing Element, plus any non-substantive edits or corrections, including those that may be directed by the State Department of Housing and Community Development (HCD) after their review of the revisions to the adopted 2023-2031 Housing Element.

4. Effective date. This resolution shall become effective immediately.

I HEREBY CERTIFY THE FOREGOING TO BE A TRUE COPY OF A RESOLUTION PASSED AND ADOPTED BY THE CITY OF SANTA CLARA, CALIFORNIA, AT A REGULAR MEETING THEREOF HELD ON THE 29<sup>th</sup> DAY OF APRIL, 2025, BY THE FOLLOWING VOTE:

AYES: COUNCILORS:

NOES: COUNCILORS:

ABSENT: COUNCILORS:

ABSTAINED: COUNCILORS:

ATTEST: \_\_\_\_\_

NORA PIMENTEL, MMC  
ASSISTANT CITY CLERK  
CITY OF SANTA CLARA

Attachments incorporated by reference:

1. Revisions to Housing Element - redlined  
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